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Practitioner's Docket No. GB0002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Gary Greenberg

For (title): Apparatus and Methods For Creating Real-Time 3-D Images And Constructing 3-D Models Of An Object Imaged In An Optical System

1. Type of Application

This transmittal is for an original (nonprovisional) application.

2. Papers Enclosed

- A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 04/18/00, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number E476 3577394 addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Cynthia E. Haden

(Type or print name of person mailing paper)

Cynthia E. Haden

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17 Page(s) of Specification
2 Page(s) of Claims
12 Sheet(s) of Drawing(s)–Formal

B. Other Papers Enclosed

2 Page(s) of declaration and power of attorney
1 Page(s) of abstract
1 Page(s) of Small Entity

3. Declaration or Oath

Enclosed and executed by:
● inventor.

4. Inventorship Statement

The inventorship for all the claims in this application is the same.

5. Language

English

6. Fee Calculation (37 C.F.R. 1.16)

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$690.00
Total Claims (37 CFR 1.16(c))	51	- 20 =	31 x	\$18.00	\$558.00
Independent Claims (37 CFR 1.16(b))	9	- 3 =	6 x	\$78.00	\$468.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$260.00	\$0.00

Filing Fee Calculation

\$1,716.00

7. Small Entity Statement(s)

Statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is attached.

Filing Fee Calculation (50% of above)

\$858.00

8. Request for International-Type Search (37 C.F.R. 1.104(d))

Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

9. Fee Payment Being Made at This Time

Enclosed

Filing Fee

\$858.00

Total Fees Enclosed

\$858.00

10. Method of Payment of Fees

Check in the amount of \$858.00 is attached.

11. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 02-4375.

37 C.F.R. 1.16(b), (c) or (d) (presentation of extra claims)

12. Instructions as to Overpayment

Refund.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

13. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. § 119(e)

“This application claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.

60/166,848

FILING DATE

11/22/1999

14. Small Entity (37 CFR § 1.28(a))

Applicant has established small entity status by the filing of a statement in parent application 60/166,848 on November 22, 1999.


SIGNATURE OF PRACTITIONER

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Practitioner's Docket No. GB0002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Greenberg, Gary

Application No.:

Filed on:

Title: Apparatus and Methods For Creating Real-Time 3-D Images And Constructing 3-D Models Of An Object Imaged In An Optical System

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)—INDEPENDENT INVENTOR

As a below named inventor, I hereby state that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in the specification filed herewith, with title as listed above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

No person, concern or organization exists to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Gary Greenberg



Signature of Inventor

Date 12 APRIL 2000

APPARATUS AND METHODS FOR CREATING REAL-TIME 3-D IMAGES AND CONSTRUCTING 3-D MODELS OF AN OBJECT IMAGED IN AN OPTICAL SYSTEM

5 FIELD OF THE INVENTION

The present invention relates to optical systems, and more particularly, to methods and apparatus for creating and capturing perceivable 3-D images of an object and constructing 3-D models of the object that can be viewed and measured from any angle.

10 BACKGROUND OF THE RELATED ART

Based on the state of the art prior to the present invention, the creation of a viewable 3-D image of an object in an optical system, such as a microscope, requires the use of filters, dual imaging systems or expensive viewing optics, all of which have their known disadvantages. The prior art has used the notion of convergence parallax or stereoscopic viewing from two angles simultaneously. In the present invention, we teach the use of motion parallax to create a perceivable 3-D image.

Prior to the present invention, it has not been possible to view an object in real-time 3-D through a standard microscope by the addition of a relatively inexpensive add-on device or to create a tomographic model of an object using such a device.

SUMMARY OF THE INVENTION

The present invention teaches methods and apparatus for obtaining 3-D images of an object in a standard microscope by continuously changing the angle from which the image of the object is viewed. "View", "viewing" and "viewed" as used throughout this specification refer to detection of an image by either the human eye or an optical or electronic device or system.

A typical optical system for creating the image of an object, such as a microscope, includes one or more aperture planes conjugate to the objective lens aperture, such as the condenser lens aperture, the light source of the system, the eye-point of the eyepiece (or barlow lens) or any conjugate relayed aperture plane that uses relay lenses. When used herein, "objective aperture" refers to the objective lens aperture and any aperture at a plane conjugate to the objective lens aperture.

The present invention teaches that by selecting an objective aperture in either the illumination path or the viewing path of a light transmitting optical system and continuously changing the portion of that objective aperture through which the light passes, motion parallax is created. To the viewer, the

image of the object is continuously moving in a way that makes the foreground elements of the image distinguishable from the background elements. In this way, the image appears to the viewer in 3-D without the need for any viewing aids, such as special 3-D spectacles or filters. In fact, with the present
5 invention, 3-D perception is even created in microscopes having only a monocular viewing head.

When the portion of the selected objective aperture that passes light is continuously changed, as, for example, by rotating an off-centered opaque mask having an aperture (mask aperture) at an objective aperture, the image of
10 the object will appear to move in an inclined rotary motion, distinguishing the elements of the image in the foreground from those in the background.

If the portion of the selected objective aperture that passes light is continuously changed by a back and forth motion of a mask aperture in the y-axis, then the image appears to rock back and forth. If the back and forth
15 motion is in the x-axis, then the image will appear to roll from left to right.

The shape of the moving mask aperture will determine image properties, such as depth of field, definition (highlighting and shadowing effects), contrast, resolution and parallax angle differences. The present invention provides for control of image properties by selecting different shapes and sizes
20 for dynamic mask apertures. The dynamic mask apertures can be physical openings in otherwise opaque members or other means of occluding light, such as LCD shutter mechanisms, and can be inserted or removed from the light path as required.

In addition to a dynamic mask aperture for continuously changing the
25 portion of a selected objective aperture that passes light, the advantages of the present invention are also achieved by continuously moving a shaped light beam at a selected objective aperture so that the portion of the aperture which passes light is continuously changed. A "shaped beam" as used herein means a light beam that is shaped such that it fills less than the entire objective
30 aperture and as used herein includes, without limitation, masked beams, focused beams and an array of light-emitting diodes (LEDs). By locating an array of LEDs at an objective aperture (such as a condenser lens aperture) and stimulating different ones of the LEDs in a timed sequence, it is possible, using known techniques, to continuously change the portion of the objective
35 aperture that passes light. In such a case, the LED array is both the shaped beam and the light source.

Regardless of the particular motion generated or the particular structures used to continuously change the portion of a selected objective aperture that passes light, the continuously moving image created distinguishes the relative positions of the elements of the object and the object
5 can be detected in 3-D by continuously interrogating the object from different points of view.

When the objective aperture is in the illumination part of the system, the benefits of oblique illumination are also imparted to the image.

Because the invention can be applied to an objective aperture in either
10 the illumination or viewing paths of an optical system, the present invention is useful in systems using transmitted illumination, reflection illumination or florescence.

The present invention permits the creation of a series of discrete, obliquely angled images at particular locations throughout the object. Such a
15 series of images can be digitized and analyzed by a computer program that will create an accurate three-dimensional model of the object that can be viewed and measured from any angle. Thus, the invention, when combined with an optical viewing system, constitutes the hardware portion of a tomographic microscope.

20 It is an object of the present invention to create a 3-D image of an object in an optical system without the use of viewing aides, such as special spectacles or the like.

It is an object of the present invention to create a viewable 3-D image of an object in an optical system by creating motion parallax.

25 It is another object of the invention to create motion parallax in an optical system for creating a 3-D image of an object by continuously changing the portion of an objective aperture through which light passes.

A further object of the present invention is to create a series of images of an object that can be digitized and analyzed by a computer program that will
30 create an accurate three-dimensional model of the object that can be viewed and measured from any angle.

Other advantages and objects of the invention will be apparent to those skilled in the art from the description of the invention which follows with reference to the following drawings.

35 BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a typical lens aperture;

Figure 1a is a schematic side view illustration of a typical condenser lens;

Figure 2 is a mask of the present invention at the aperture;

Figure 2b is the lens of Figure 1a with the mask of Figure 2 disposed at the aperture;

Figure 3 is another mask of the present invention at the lens aperture;

Figure 3a is the lens of Figure 1a with the mask of Figure 3 disposed at the aperture;

Figure 4 is another mask of the present invention at the lens aperture;

Figure 4a is the lens of Figure 1a with the mask of Figure 4 disposed at the aperture;

Figure 5 illustrates the mask of Figure 4 at different phases of its rotation;

Figure 5a is an embodiment of a mask of the present invention formed from an LCD matrix;

Figure 6 is a side view of a typical prior art microscope;

Figure 7 is an embodiment of the present invention utilizing an off-axis iris diaphragm;

Figure 8 is a side view of a lens having a gear-driven dynamic aperture mask of the present invention at its objective aperture;

Figure 8a is a plan view of the mask of the present invention shown in Figure 8;

Figure 9 is a side view of an embodiment of the present invention using a turret carrying multiple masks of the present invention;

Figure 9a is a plan view of the turret and masks of Figure 9;

Figure 9b is the same as Figure 9a, except that the masks have a different shape;

Figure 10 is an embodiment of the present invention employing a slider on which multiple masks of the present invention are carried;

Figure 11 is a side schematic view of an embodiment of the present invention incorporated in a phototube eyepiece for use with a camera;

Figure 12 is a side schematic view of the present invention embodied in a light source;

Figure 12a is a plan view of the dynamic aperture mask of the present invention of Figure 12;

Figure 13a is an illustration of the dynamic aperture mask of the present

invention relative to a low NA objective;

Figure 13b is an illustration of the dynamic aperture mask of the present invention relative to a medium NA objective;

Figure 13c is an illustration of the dynamic aperture mask of the present invention relative to a high NA objective;

Figure 14a is an embodiment of a dynamic mask of the present invention utilizing overlapping semi-circle opaque members;

Figure 14b is a view of Figure 14a with the members rotated to a different relative position;

Figure 15 is an illustration of the dynamic aperture mask of the present invention in which the change in position of the light passing through the aperture is linear;

Figure 15a is a diagrammatic illustration of an image of an object illustrated as shown in Figure 15;

Figure 16 is a side schematic illustration of an embodiment of the present invention utilizing a motor-driven optical fiber light source;

Figure 17 is another side view schematic of another embodiment of the present invention utilizing a fiber optic light source;

Figure 18 is another side view schematic of the present invention utilizing a fiber optic light source;

Figure 19 is a schematic side view of an object viewed with the present invention illustrating the movement of the elements of the object as perceived through a microscope utilizing the present invention;

Figure 20 is a schematic illustration of the present invention embodied in an endoscope;

Figure 21 is an illustration of the present invention utilizing overlapping sector-shaped blades;

Figure 21a shows the blades of Figure 21 extended to obscure a greater portion of the aperture at which it is placed;

Figure 22 is a schematic illustration of an embodiment of the invention utilizing expanding bellows;

Figure 23a is an illustration of the present invention utilizing sector-shaped LCDs;

Figure 23b is Figure 23a with certain of the LCDs rendered opaque;

Figure 23c is yet another illustration of Figure 23a with other LCDs rendered opaque;

Figure 24 is an illustration of the present invention utilizing an array of LEDs.

DETAILED DESCRIPTION OF THE INVENTION

The invention resides in methods and apparatus for continually
5 changing the portion of an objective aperture in an imaging optical system that passes light so that the object is continually being viewed from a changing angle, permitting the elements of the image of the object in the foreground to be distinguishable from the elements of the image of the object in the background. Several structural embodiments of the invention achieve this result.

Referring to Figures 1 and 1a, a typical microscope condenser lens 11
has an aperture 12 defining an area 13. A light beam 14 entering the
condenser 11 passes through the aperture 12 and emerges along the optical
axis 16. There being no occlusion of the aperture 12, its entire area 13 is
15 typically filled with the light beam 14.

Referring to Figures 2 and 2a, a mask 17 having an opaque sector 18 and
a sector-shaped mask aperture 18a which can pass light is disposed at the lens
aperture 12. A light beam 15 entering the lens 11 passes through the mask
aperture 18a (which is the three-quarters of the lens aperture 12 not occluded
20 by the sector 18) and emerges from the lens at an angle \emptyset to the optical axis 16. The beam 15 emerges from lens 11 as an oblique beam (relative to the optical axis 16) and the angle \emptyset is a measure of the obliquity of the beam.

Referring to Figures 3 and 3a, a mask 19 having an opaque sector 22 and
a semi-circular mask aperture 22a which can pass light is disposed at the lens
aperture 12 occluding one-half of the area of the aperture 12. A light beam 21
25 entering lens 11 passes through the half of lens aperture 12 aligned with mask aperture 22a and emerges from the lens 11 at an oblique angle \emptyset .

Referring to Figures 4 and 4a, a mask 23 having an opaque sector 26 and
a sector-shaped mask aperture 26a is disposed at lens aperture 12, three-
30 quarters of which it occludes. A light beam 24 entering lens 11 passes through only the mask aperture 26a and emerges from the lens 11 at an angle \emptyset to the optical axis 16. As the opaque area of the mask increases (the mask aperture area decreases), the beam angle \emptyset increases. Stated somewhat differently, as the area of the mask aperture decreases, so does the cone angle of the beam
35 that emerges from the lens as measured at the focal plane 28 of the lens.

For each of the embodiments of Figs. 2a-4a, an object 27 at an image

(focal) plane 28 is illuminated with oblique illumination, and thus, ultimately viewed from an angle relative to the optical axis 16.

When it is stated that a mask or other element is located "at" an objective aperture, it shall mean, and will be understood by those skilled in the art, that the mask or other element is at that proximity to the objective aperture that an image of the mask or other element does not appear at an image plane in the optical system.

By rotating any of masks 17, 19 or 23, the portion of the lens aperture 12 which passes light is continually changed. As the mask rotates, beam 24, for example (Fig. 4a), will rotate about optical axis 16 so that the view of the image of object 27 will be from a continually changing angle, allowing the observer to interrogate the object through 360 degrees. By way of contrast, stereo 3-D viewing only allows the observer to view the object from two angles — a left angle and a right angle.

As used herein, the term "dynamic aperture mask" means a mask having an aperture which, when continuously moved relative to the objective aperture at which it is located, causes the portion of that objective aperture that passes light to change continuously.

Referring also to Figure 5, the rotation of mask 23 about optical axis 16 constantly moves the mask aperture 26 relative to the objective aperture 12 and continuously changes the portion of objective aperture 12 that passes light.

When a dynamic aperture mask, such as mask 23, is located at an objective aperture in an optical system illumination path, the object will be illuminated with oblique illumination and viewed from a continually changing angle as the mask rotates. When the object is illuminated with oblique illumination in this way, the image of the object will be enhanced in a manner taught by Greenberg US patent 5,345,333.

When a dynamic aperture mask, such as mask 23, is disposed at an objective aperture in the optical system image path (i.e., after the object has been illuminated), the image of the object will also be viewed from a continually changing angle, and thus seen in 3-D, but will not have the enhanced effects of oblique illumination.

While the embodiment of the invention described above teaches the use of a dynamic aperture in the shape of a sector of a circle with the vertex of the sector at the optical axis, the invention is not so limited. The invention

resides in continually changing the portion of the objective aperture through which light passes so that the angle from which the object is viewed is continually changed. This is also accomplished by continuously moving a shaped beam through different portions of the aperture. An LED array at the aperture plane that is controlled (turned on or off) in a way that simulates a light source continuously moving through a different portion of the objective aperture also serves the purpose of the invention to achieve its objects.

Referring to Figure 5a, an array 27 of light-emitting diodes (LEDs) 28 is located at an objective aperture 29. The diodes 28 are controlled by control (switching) system 31 to create light patterns and sequences that continuously change the portion of the objective aperture (condenser aperture) through which light is emitted. The array 27 can be controlled to produce a sector-shaped light pattern that rotates about the optical axis of the aperture 29 or any other beam that can be moved continuously to create motion parallax.

Referring to Figure 6, a typical optical system using Köhler illumination for imaging an object is a microscope 41 having an objective lens 42 with an objective lens aperture 43, and a condenser lens 44 having an aperture 46 which is conjugate to the objective lens aperture 43, and according to the definition used here, an objective aperture. Other objective apertures occur in the microscope at light sources 47 and 48, as well as at the eye-point 49 of phototube 50 and the eye-point 51 of eyepiece 55. Another objective aperture 52 is located in the optical system through relay lenses (not shown).

Placing a dynamic aperture mask, such as mask 23 (Fig. 4), at any of the objective apertures 43, 46, 47, 48, 49, 51 or 52 of the microscope 41 will create a viewable moving 3-D image of an object 53 in the otherwise 2-D microscope 41.

Microscope 41 operates as a transmitted light microscope when the object 53 is illuminated by light source 54. By placing dynamic aperture 23 at object plane 46 or 48 (in the illumination path), the object 53 is illuminated with oblique illumination that continually changes its angle, whereby the angle from which the image of the object 53 is viewed at eyepiece 55 is continually changing, giving the image the appearance of moving in three-dimensional space. Placing a dynamic aperture, such as mask 23 (Fig. 4), at any objective aperture 43, 49 or 51 (in the viewing path) of microscope 41 will cause the image of the object 53 to be perceived as moving through three-dimensional space and, thus, appearing as 3-D, even though not illuminated

by oblique illumination.

It will be readily apparent to those skilled in the art that by substituting a standard condenser with a condenser 44 having a dynamic aperture mask, such as that shown in Fig. 4, at objective aperture 46, a microscope capable of only generating and viewing a two-dimensional image can be economically converted to a microscope that can create and view an image in real-time 3-D without filters or special glasses. The insertion of such a dynamic aperture at objective aperture 52, or any of the other microscope objective apertures, will likewise convert a microscope limited to 2-D into a microscope capable of viewing an object in 3-D (even if the microscope has only a monocular viewing system).

The benefits of the present invention can be realized utilizing various configurations of parts creating dynamic mask apertures of various geometric shapes and sizes. The particular physical embodiment or size and shape selected for a mask and its dynamic aperture will depend on a number of factors, including the effect that is desired and the characteristics of the object under examination. Thus, while particular shapes for a dynamic mask aperture may be more advantageous than others in certain circumstances, all shapes and sizes of dynamic apertures and all physical embodiments that create motion parallax and a 3-D image are within the teachings of the invention. Similarly, which of the several objective apertures in an optical imaging system where a mask (dynamic aperture) of the present invention is located is a matter of choice dependant on the circumstances of the investigation.

For example, placing the dynamic aperture at the condenser lens aperture is good for transmitting light applications, while placing it in the illumination system is good for both transmitted and reflected light applications. Placement at the illumination system has the added advantage of allowing for special optical systems, such as phase contrast optics. Additionally, placing the dynamic aperture at the photo eyepiece makes it compatible with florescence microscope.

Referring to Figure 7, in one embodiment of the invention, a standard iris diaphragm 58 having an opening 59 which is variable in size, as indicated by dashed lined 61, is held within a circular frame 62 by springs 63 and 64 and positioning screws 66 and 67. The location of the iris opening 59 within the frame 62 is controlled by screws 66 and 67. When the frame-held iris 58 is

positioned to locate the opening 59 off the center of an objective aperture 68, rotation of the frame 62, together with the diaphragm iris 58, causes the opening 59 to rotate within the aperture 68 and continuously change the portion of the aperture 68 that passes light. Frame 62 can be rotated by any one of several well known drive systems, including friction, belt, or gear drive.

Referring to Figures 8 and 8a, a lens 71 has a dynamic aperture mask 72 with a sector-shaped aperture 73 located at the lens objective aperture 70. Gear teeth 74 on the periphery of the dynamic aperture mask 72 mesh with a gear 76, which is rotated by a shaft 77, which is connected to a motor 78 or other means for rotating the shaft. As the gear 76 drives the dynamic aperture mask 74, the mask aperture 73 continuously changes the portion of the objective aperture 70 that passes light, thus producing the motion parallax which produces a 3-D effect.

Referring to Figures 9 and 9a, instead of locating a single dynamic aperture mask, such as mask 72 (Fig. 8), at the objective aperture of a lens, in this embodiment of the invention, a rotating turret 81 is disposed in the plane of the objective aperture 80 of a lens 82. The turret 81 carries four different dynamic aperture masks 83, 84, 86 and 87, each having an aperture 83a, 84a, 86a and 87a, respectively, of a different geometric shape. The particular shapes illustrated are only by way of example of the possible shapes for mask apertures that are within the scope of the invention. A standard iris diaphragm 88 can also be provided on the turret 81 for standard operation of the lens.

A drive gear 89, driven by a gear motor and shaft 91, engages the perimeter 92 of turret 81, enabling the turret 81 to be rotated about its axis 93. The drive gear 89 can thus position the turret 81 to align any of the masks 82, 84, 86, 87 or iris 88 with the aperture 80 of lens 82, as desired. Positioning turret 81 by hand is, of course, also an option. The alignment of a dynamic aperture mask with the objective aperture 80 of lens 82 also aligns the aperture mask with an aperture mask drive gear 94 for rotating the aligned mask. This embodiment permits the easy selection of one of a variety of different dynamic aperture masks for use as the need arises. The shape of each dynamic aperture can be designed for specific applications, such as phase contrast microscopy. Referring to Figure 9b, a mask 95 on turret carrier 81 has an aperture 95a in the shape of a portion of a phase annulus. By rotating the phase annulus aperture 95a, 3-D phase contrast effects are achieved. The other masks

illustrated provide apertures for use with different NA lenses and different shaped annuli.

Referring to Figure 10, in another embodiment of the invention, a slide carrier 96 carries three rotatable dynamic aperture masks 97, 98 and 99, each having an aperture 97a, 98a and 99a, respectively, of a different geometric shape and each rotated by a belt 101 driven by a gear 102. Once again, the particular shapes illustrated are only a sample of the many different shapes that could be used. When the slide 96 is moved relative to a lens aperture (such as objective aperture 80 of Figure 9), one of the dynamic aperture masks 97, 98 or 99 can be brought into alignment with the objective aperture and the optical axis of the optical system. Rotation of the mask will continuously change the portion of the objective aperture through which light passes, and thus produce the motion parallax which produces the 3-D effect of the present invention. A conventional iris diaphragm 103 can be conveniently located on the carrier 96, as well, for conventional use of the optical imaging system with which the carrier 96 is used.

Referring to Figure 11, the present invention is embodied in an adapter for a microscope phototube. An adapter 106 contains a photo eyepiece 107 exclusively used to focus a light beam at an eye-point 108, which is coincident with an objective aperture 109. Light beam 105 carries an image of an object (not shown) that is "seen" at an image plane 111 in a camera 112 that is supported on the adapter 106 by a camera connector 113. Camera 112 can be a digital camera, a video camera or any other device capable of recording images.

A dynamic aperture mask 114 is located at the objective aperture 109 and rotated by a gear 116, supported on a shaft 117, driven by a motor 118. Dynamic aperture mask 114 can include an aperture of any desired shape, such as those illustrated in Figs. 9a and 10, so long as when the aperture mask 114 is rotated by gear 116, the portion of the aperture 109 that passes light is continually changed whereby the image "seen" at image plane 111 of camera 112 is from a continuously changing angle.

By replacing a standard phototube with the phototube 106 of the present invention, a microscope capable of only creating and capturing a 2-D image can be easily converted into a microscope that can capture a 3-D image. One of the advantages of this embodiment of the invention is that it is compatible with all forms of microscopy, such as phase contrast, differential interference

contrast, florescence, transmitted or reflected light microscopy.

Another embodiment of the present invention that conveniently and economically converts a 2-D microscope into a 3-D microscope is seen in Figs. 12 and 12a. A lamp housing 121 having a dovetail mounting connector 122 that permits it to attach to a standard microscope lamp housing contains a lamp light source 123 and a lamp condenser lens 124. The light source 123 directs a light beam 125 onto a diffusing filter 126 from which the light beam is directed onto lamp condenser lens 124, and from there, into the optical path of a microscope (not shown).

The lamp condenser lens 124 creates an objective aperture 127, at which is located a dynamic aperture mask 128 having a sector-shaped aperture 129 which sweeps through the objective aperture 127 when driven by a gear 131 mounted on a shaft 132 rotated by a motor 133. Once again, as the mask aperture 129 rotates, the portion of the objective aperture 127 that passes light beam 125 is continually changed so that an object illuminated by the light beam 125 in a microscope optical system will be continuously illuminated from a changing angle and thus be perceived in 3-D by virtue of the motion parallax created by light beam 125. An advantage of this embodiment of the invention is that it works with phase contrast optics by continuously illuminating a different portion of a standard phase contrast annulus, regardless of the size of the phase annuli.

Referring to Figures 13a, 13b and 13c, one of the advantages of the embodiment of the present invention that utilizes a sector-shaped aperture 136 in an aperture mask 137 is that it operates equally with an objective of low numerical aperture (NA), as well as an objective with a high NA.

Thus, while the mask 137 is substantially larger than the low NA objective 138, rotation of the mask 137 nonetheless continuously changes the portion of objective 138 through which light can pass. Although the mask 137 stays the same in size, its ability to produce effective motion parallax by rotating at the mask aperture 136 of a medium NA objective 139 (Fig. 13b) or a high NA objective 141 (Fig. 13c) remains the same. Thus, in terms of what an objective aperture "sees," mask 137 is properly sized for a wide range of NA lenses. One shape fits many different size objective lenses with equal effect.

Referring to Figures 14a and 14b, another embodiment of the invention provides a rotatable dynamic aperture mask where the aperture is a sector of a circle which is variable in size. A dynamic aperture mask 144 includes a

support ring 146 containing two semi-circular opaque aperture-forming members 147 and 148 which are rotatable within ring 146 about a center point 149. By overlapping a portion of the members 147 and 148, an aperture 151 is created which can pass light. Gears 152 on the outer circumference of the ring 146 mesh with a drive gear 153 for rotating the entire dynamic aperture mask 144. The size of aperture 151 is varied by rotation of the opaque members 147 and 148 relative to one another until the size of the aperture 151 best suits the needs of the investigation being conducted. As the aperture 151 increases in size, the illumination or viewing affected by the dynamic aperture decreases in apparent movement and vice versa. As the aperture 151 is decreased in size, the contrast and depth of field is increased.

A number of other mechanical and electro-mechanical devices are capable of creating a variable-size aperture in a dynamic mask, such as mask 144. Details of such other mask configurations are set forth in my copending application serial no. XX/XXX,XXX for XXXX, filed XXX. In particular, instead of overlapping opaque semi-circular members 147 and 148, the space within ring 146 could contain overlapping blade structures, such as shown in Figs. 21 and 21a, which can be adjusted to create a variable-size aperture 151. Referring to Figure 22, a bellows-type expandable opaque mask 150 can also create a variable size aperture 151. Similarly, liquid crystal diodes (LCDs), such as shown in Figs. 23a, 23b and 23c, can be used to create a variable light-passing aperture 151 within ring 146. Fig. 23a illustrates a circle formed by eight equal sector-shaped LCDs 154, all conditioned to pass light. In Fig. 23b, two adjacent LCDs 154 have been conditioned to be opaque to light so that the remaining LCDs form a sector-shaped aperture that passes light. Fig. 23c illustrates the LCDs 154 conditioned such that only two adjacent sectors pass light to create an aperture 151 different in shape than that of Fig. 23b. The particular variable-shaped rotatable aperture mask 144 illustrated in Figs. 23a, 23b and 23c is but an example of the shapes that can be formed using LCDs. The advantage to using LCDs is that any shape can be achieved and quickly changed to any other shape, including shapes that would be difficult, if not impossible, to achieve with physical masks. In addition, the shapes and their transitions can be computer-created and controlled to create dynamic apertures tailored to specific needs. In addition to sector-shaped LCDs, a mask can be formed from an X-Y array of LCDs that can be switched to create any shape desired that can be moved continuously so that light can be caused

to continuously move through a different portion of an objective aperture. See Kley patent no. 4,561,731.S

Thus, in addition to the plurality of different-size apertures in a dynamic aperture mask, such as illustrated in Figs. 9a and 10, the invention can also
5 be embodied in a single mask having a variable-size aperture.

All of the embodiments of the invention disclosed so far include a rotating mask aperture at an objective aperture to continually change the portion of the objective aperture which passes light in order to create motion
10 parallax and a 3-D view. The objects of the invention are achieved, however, by different forms of a dynamic aperture, as well as by a shaped beam in place of an aperture mask.

Referring to Figures 15 and 15a by moving a shaped light beam or an occluding mask back and forth across an objective aperture 156, the portion of the aperture which passes light is continually changed, as best seen by the
15 progressive change in the portion of aperture 156 which passes light. As the light beam or occluding mask swings across the aperture 156 to one extreme of its travel light is passes through portion 156a of aperture 156. As it retreats from that extreme light passes through portion 156b until the entire aperture is filled with light when the beam is centered. As the beam is moved beyond
20 center the portion 156d passes light and when the beam reached the extreme position in the other direct portion 156e passes light. As the beam swings back, the pattern is reversed. By occluding the aperture in this way, or by passing a shaped light beam over the aperture 156, each element 157 of an object being viewed (not shown) appears to rock back and forth, as indicated by
25 motion arrows 158. The combined effect of the rocking motion of the elements of an object through the methods and apparatus of the present invention reveals the three-dimensional structure of the object similar to the three-dimensional view created by the rotating dynamic aperture mask described above.

30 One of the advantages in using a rotating sector of a circle or other geometric shape rotating about the center of the objective aperture to continually change the portion of the aperture which passes light is that the intensity of the light passed by the aperture remains constant, whereas in the embodiment of Figs. 15 and 15a, the light intensity varies considerably. This
35 darkening and lightening effect can be overcome or ameliorated by a feedback system that continually changes the intensity of the light source to effect an

evenly illuminated image.

Referring to Figure 16, one way to achieve the variable occlusion of the objective aperture shown in Fig. 15 is by causing a fiber optic bundle 161 illuminated by a light source 160 to reciprocate relative to a lens 162 and its objective aperture 163. A reciprocating motor 164 and connecting link 166 cause the fiber optic bundle 161 to move back and forth a distance sufficient to move a light beam 167 from the fiber optic bundle 161 across the lens 162 so that, except when the fiber optic bundle is centered, some portion of the objective aperture 163 is not illuminated by the light beam 167, as illustrated in Fig. 15. The numbers 156a, 156c and 156e indicate the positions of bundle 161 that create the aperture portions that pass light of the same numerical designations in Figure 15.

Referring to Figure 17, a fiber optic bundle 169 receiving light from a light source 171 produces a beam 172 having a cross-section substantially smaller than the objective aperture 173 of a lens 174 onto which the beam is directed. A motor 176 connected to the fiber optic bundle 169 by a link 177 causes the fiber optic bundle to move in a circle, as indicated by motion arrow 178. As beam 172 rotates, the portion of aperture 173 that contains light continually changes, producing substantially the same effect as described in connection with the dynamic aperture mask embodiment of the invention. (See particularly Fig. 7.) As with a dynamic mask, motion parallax is created, giving rise to a 3-D effect. In the shaped light beam embodiment of the invention, the intensity of the light that passes through the aperture 173 is essentially constant.

Referring to Figure 18, a light source 181 directs a beam of light 182 onto a mirror 183, which reflects the light beam onto a lens 184 through the objective aperture 186. A motor 187 connected to mirror 183 through a link 188 causes mirror 183 to move in such a way as to sweep beam 182 across the aperture 186 so as to create the variable occlusion illustrated in Fig. 15.

Another way of creating a shaped light beam is to use an array of light emitting diodes (LEDs) at an objective aperture. Referring to Fig. 24, an array 179 of LEDs 180 can be controlled to emit light in any pattern desired. Moreover, the selected shape can be caused to move so that when placed at an objective aperture, light will pass through a different portion of the aperture on a continuous basis. The dark shaded diodes 179 form a sector 179a and represent diodes that are emitting light. That sector can be caused to rotate,

creating the same result as the dynamic aperture mask of Fig. 4, for example.

One application of the present invention is to create a series of discrete obliquely angled images of an object at selected planes throughout the object. The series of images so created can be digitized and analyzed by a computer
5 program to create a very accurate three-dimensional model of the object that can be viewed and measured from any angle. Thus, the present invention can be combined with an ordinary microscope to create the hardware portion of a tomographic microscope.

Referring to Figure 19, an object 191 consists of a plurality of object-
10 forming elements 191a, 191b, 191c, 191d, 191e, 191f, 191g and 191x. The object 191 is being imaged by an optical imaging system, such as a microscope, having an optical axis parallel to axes 193 and a focal plane at 194 within the object 191. When the object 191 is viewed in an optical viewing system that includes an objective aperture through which a light beam continuously passes
15 through a different portion, as taught by the present invention, the various elements of object 191, other than those which are at the image plane 194, precess about optical axis 193 in circles that increase in diameter as the distance of the element from the image plane 194 increases. Thus, for example, element 191a will move in a larger circle about axis 193 than element
20 191b, which is closer to the image plane 194. Element 191c, which is at the image plane, will not move at all, whereas element 191d, which is about the same distance from the image plane 194 as element 191b, will circle the optical axis 193 in a circle of about the same diameter as the circle traveled by element 191b, but be in an opposite phase thereto. Each element of the object
25 191 that is off the optical axis 194, such as elements 191f and 191x, will precess about an axis 193. The combined effect of the apparent movement of the various elements of the object 191, as seen in an optical system employing the present invention, is that the entire object 191 appears to move in three-dimensional space so as to make it possible to discern those elements of the
30 object which are in the foreground from those which are in the background and thus appear in 3-D.

Because all of the elements of the object 191 that are off of the image plane 194 move with time, it is possible, using known digitizing and computer programming techniques, to eliminate from an image of object 191 all of the
35 elements, other than those that appear at the image plane, by eliminating all elements that change location with time. In this way, it becomes possible to

create an image of the object at a selected plane in the object, such as plane 194. By moving the image plane to various locations within object 191 (by, for example, refocusing the microscope), it becomes possible to create a series of focal plane specific images of object 191, and from that series of images, create
5 an accurate model of the object 191 that can be viewed and measured from any angle.

Referring to Figure 20, the dynamic aperture system of the present invention can be used advantageously with imaging techniques, such as endoscopy.

As is typical in endoscopy, a slender fiber optic tube 201 is inserted into a body 202 for the purpose of viewing interior portions of the body 202 through a lens 203 in the distal end of the fiber optic tube 201. The images created by the lens 203 are directed to a camera 204 where they are recorded or displayed in real-time by a monitor 206. One of the difficulties in dealing with
10 endoscopic images is that they lack three-dimensional perspective making it difficult to determine the spacial relationship of the various images being viewed.

The present invention provides a means for giving three-dimensional perspective to the endoscopic images. A lens 207 between the camera 204 and the endoscopic tube 201 creates an objective aperture 208 outside of the body 202 where it is convenient to locate a dynamic aperture mask 209 of the
15 present invention which can be driven by a motor 211, as previously described.

It will be obvious to those skilled in the art that the dynamic aperture 209 can be any of the various embodiments of the invention described therein, as well as those which are equivalent thereto, and will not depart from the invention. In an endoscope, as in any imaging system that has or is capable of having an objective aperture, the present invention provides a means for creating motion parallax from otherwise two-dimensional images so as to create a three-dimensional perspective.

Obviously, many modifications and variations of the present invention are possible in light of the above teachings. It will, therefore, be understood by those skilled in the art that within the scope of the appended claims, the invention may be practiced otherwise than as specifically described.
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CLAIMS

1. In an optical system for viewing an object and having an objective aperture through which light passes, the improvement comprising:
means continuously changing the portion of the objective aperture through which light passes.
2. The improvement of claim 1 wherein the optical system is further described as having a viewing path and the objective aperture is in the viewing path.
3. The improvement of claim 1 wherein the optical system is further described as having an illumination path and the objective aperture is in the illumination path.
4. The improvement of claim 3 wherein the illumination path is further described as including a light source and the objective aperture is between the light source and the object.
5. The improvement of claim 2 wherein the viewing path is further described as including an eye point and the objective aperture is between the eye point and the object.
6. The improvement of claim 2 wherein the viewing path is further described as including an eye point and the objective aperture is at the eye point.
7. In an optical system for viewing an object and having an objective aperture through which light passes, the improvement comprising:
a dynamic aperture mask disposed at the objective aperture.
8. The improvement of claim 7 wherein said dynamic aperture mask is an array of LCDs.
9. The improvement of claim 7 wherein said dynamic aperture mask is an expandable bellows.
10. The improvement of claim 7 wherein said dynamic aperture mask is overlapping leaflets.
11. The improvement of claim 7 wherein said dynamic aperture mask is two overlapping semi-circular opaque discs.
12. The improvement of claim 7 wherein said dynamic aperture mask is a plurality of sector-shaped LCDs.
13. The improvement of claim 7 wherein said dynamic aperture mask has a variable size aperture.
14. The improvement of claim 13 wherein said variable size aperture is sector shaped.

15. The improvement of claim 13 wherein the objective is further described as having an axis and said variable size aperture is an iris diaphragm disposed off the objective axis.

16. The improvement of claim 7 wherein the aperture in said dynamic

5 aperture mask has the shape of a sector of a phase annulus.

17. In an optical system for viewing an object and having an objective aperture through which light passes, the improvement comprising:

a carrier disposed at the objective aperture and moveable relative thereto;

10 a plurality of dynamic aperture masks on said carrier each of which can be aligned with the objective aperture by moving said carrier relative thereto.

18. The improvement of claim 17 wherein the apertures of said dynamic aperture masks are sectors of different sizes.

19. The improvement of claim 17 wherein the apertures of said dynamic aperture masks are sectors of phase annuli of different sizes.

15 20. In an optical system having an objective aperture for viewing an object the improvement comprising:

a shaped light beam continuously passing through a different portion of the objective aperture.

21. The improvement of claim 13 wherein said shaped light beam is from an array of LEDs.

22. In a method for creating a 3-D view of an object in an imaging system having an objective aperture through which light passes, the steps comprising:

causing the light to pass through only a portion of the objective aperture; and

25 continuously changing the portion of the objective aperture through which light passes.

23. The method of claim 22 wherein a dynamic aperture mask is used to cause the light to pass through only a portion of the objective aperture.

24. The method of claim 22 wherein an array of LCDs is used to cause the light to pass through only a portion of the objective aperture.

25. The method of claim 22 wherein an array of LEDs is used to cause the light to pass through only a portion of the objective aperture.

26. The method of claim 22 wherein a shaped beam is used to cause the light to pass through only a portion of the objective aperture.

35 27. The method of claim 22 wherein the imaging system is a light microscope having an illumination path including at least one objective aperture and a

viewing path having at least one objective aperture wherein the objective aperture through which light passes through only a portion is in the illumination path.

28. The method of claim 22 wherein the imaging system is a light microscope
5 having an illumination path including at least one objective aperture and a viewing path having at least one objective aperture wherein the objective aperture through which light passes through only a portion is in the viewing path.

29. The method of claim 22 wherein the imaging system is a light microscope
10 having a light source wherein the objective aperture through which light passes through only a portion is in the light source.

30. The method of claim 22 wherein the imaging system is a light microscope having a photo tube and the objective aperture through which light passes through only a portion is at the photo tube.

15 31. The method of claim 22 wherein the imaging system is a light microscope having an eye piece and the objective aperture through which light passes through only a portion is at the eye piece.

32. The method os claim 22 wherein the microscope is a phase contrast microscope.

20 33. The method of claim 29 wherein the microscope is a phase contrast microscope.

34. In a phase contrast microscope having a light source with an objective
aperture through which light is directed the improvement comprising:
means continuously changing the portion of the objective aperture

25 through which light passes.

35. In the phase contrast microscope of claim 34 where the means is a dynamic aperture mask.

36. In the phase contrast microscope of claim 34 where the means is a dynamic aperture mask having a variable size aperture.

30 37. In a method of creating a three dimensional model of a three dimensional object having a plurality of elements using a light microscope having an objective aperture through which a light beam passes and a focal plane the steps comprising:

35 locating the microscope focal plane at various locations within the object;

for each location of the focal plane within the object:

cause the light beam that passes through the objective aperture to pass through only a portion of the objective aperture;

continuously change the portion of the objective aperture through which the light beam passes.

5 38. The method of claim 37 further comprising the steps of:

digitize the image of the object at each location;

eliminate from the digitized image all elements of the object that change location while the portion of the objective aperture through which the light beam passes is continuously changed thereby obtaining a focal plane specific image;

10 combine the focal plane specific images for each location of the focal plane within the object.

39. In a method of creating a three dimensional model of a three dimensional object using a light microscope having a focal plane the steps comprising:

15 viewing the object with the microscope focal plane at various locations within the object;

for each location of the focal plane within the object, causing the angle of view to continuously change.

20 40. The method of claim 39 wherein the object is composed of a plurality of elements and further comprising the steps of:

creating a digitized image of the object at each location of the focal plane;

25 eliminating from each digitized image those elements that change location with time to create a focal plane specific image.

41. The method of claim 40 further comprising the step of:

combining the focal plane specific images.

42. In an endoscopic device having an optical path for light that includes a probe and lens with an objective aperture for entering into a body to transmit a view of the interior thereof to a viewing system outside the body, the improvement comprising:

30 an objective aperture outside the body in the optical path between the lens and the viewing system; and

means continuously changing the portion of said objective aperture outside the body that passes light.

43. The improvement of claim 42 wherein said means is a dynamic aperture

mask disposed at said objective aperture.

44. The improvement of claim 43 wherein said dynamic aperture mask is an array of LCDs.

5 46. The improvement of claim 43 wherein said dynamic aperture mask is an expandable bellows.

47. The improvement of claim 43 wherein said dynamic aperture mask is overlapping leaflets.

48. The improvement of claim 43 wherein said dynamic aperture mask is two overlapping semi-circular opaque discs.

10 49. The improvement of claim 43 wherein said dynamic aperture mask is a plurality of sector-shaped LCDs.

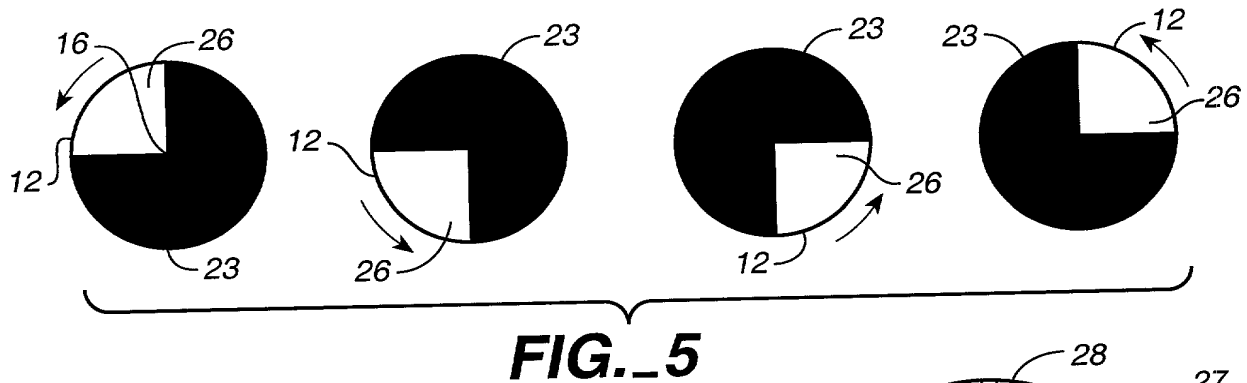
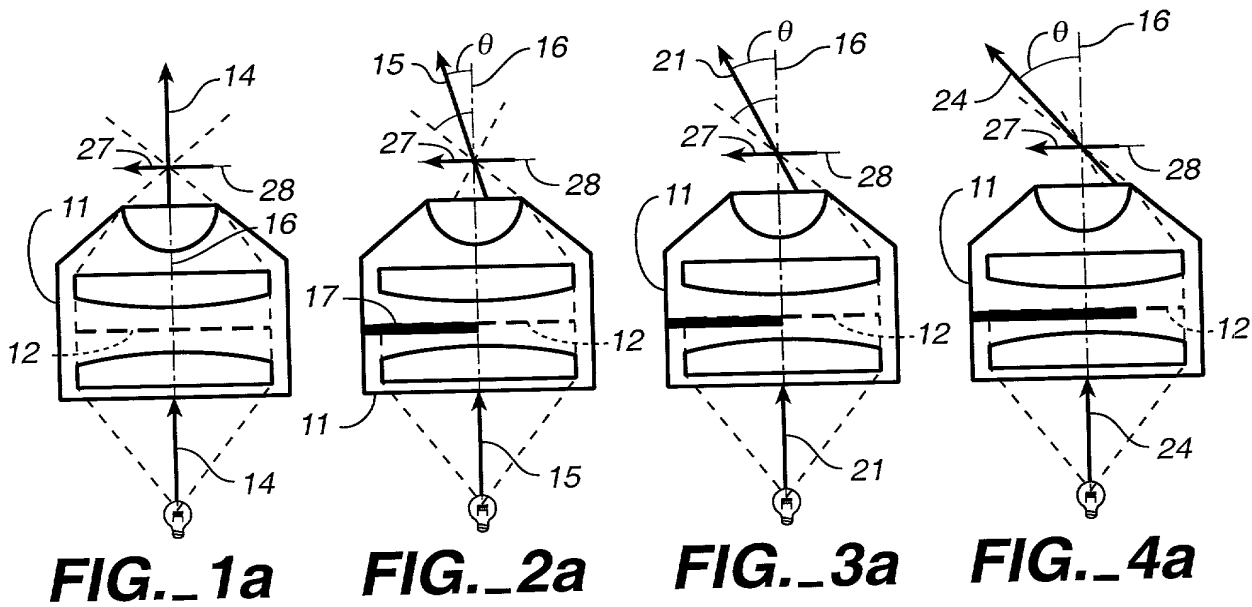
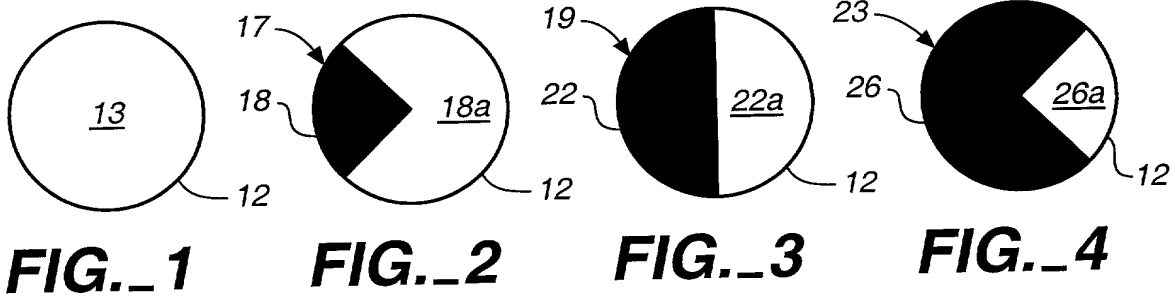
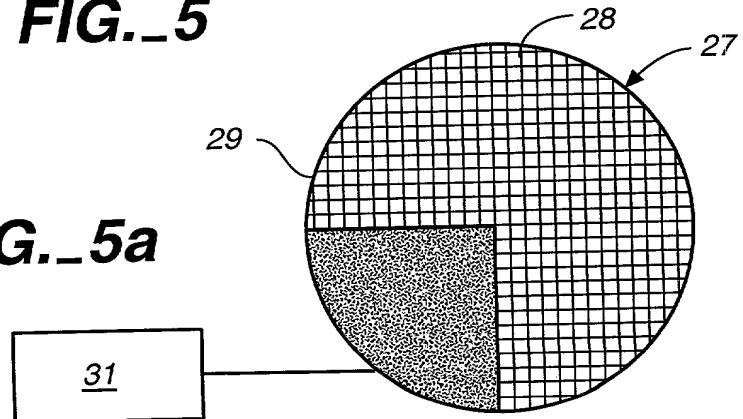
50. The improvement of claim 43 wherein said dynamic aperture mask has a variable size aperture.

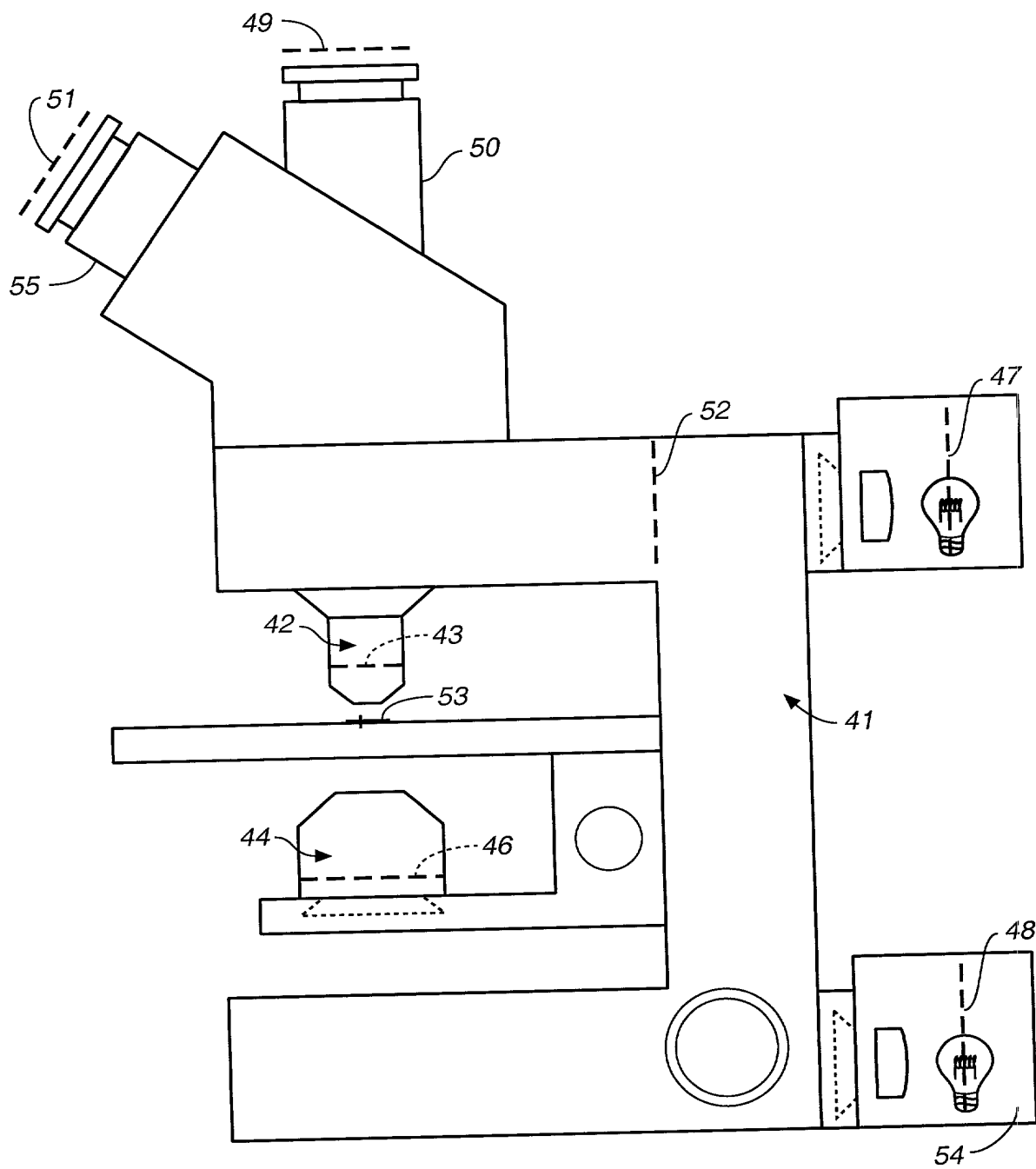
15 51. The improvement of claim 50 wherein said variable size aperture is sector shaped.

ABSTRACT

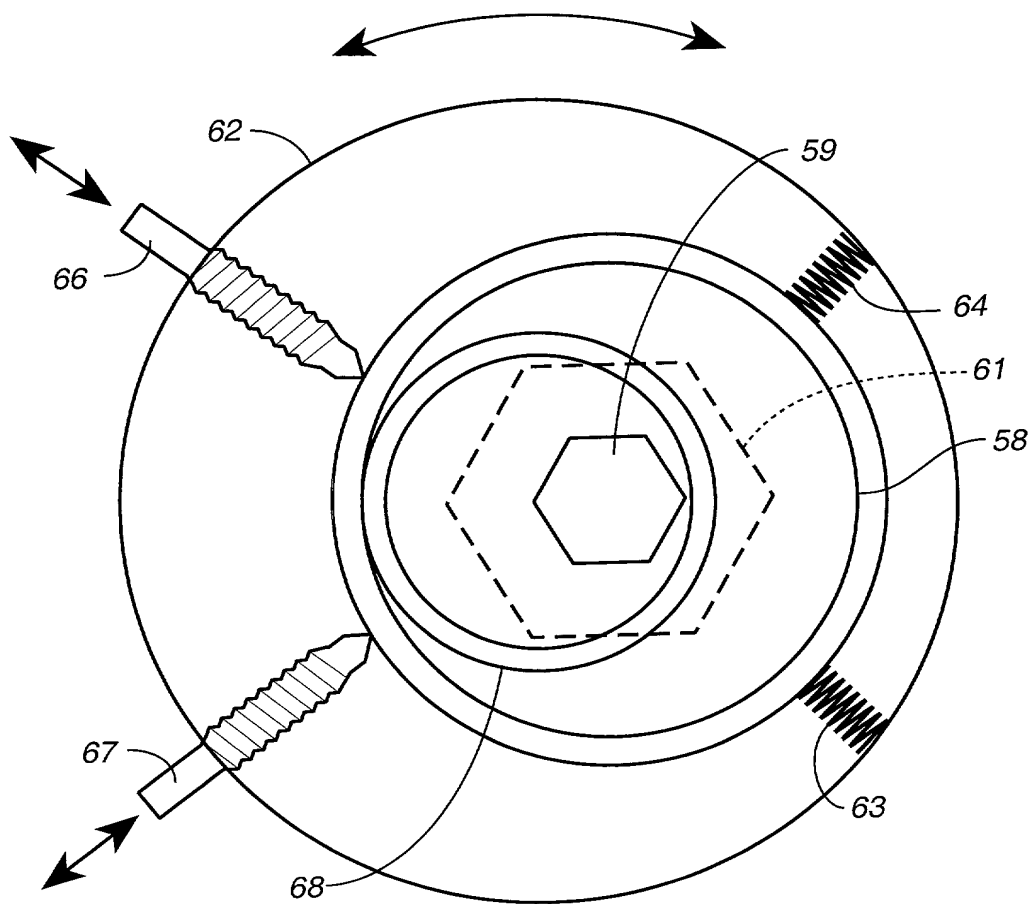
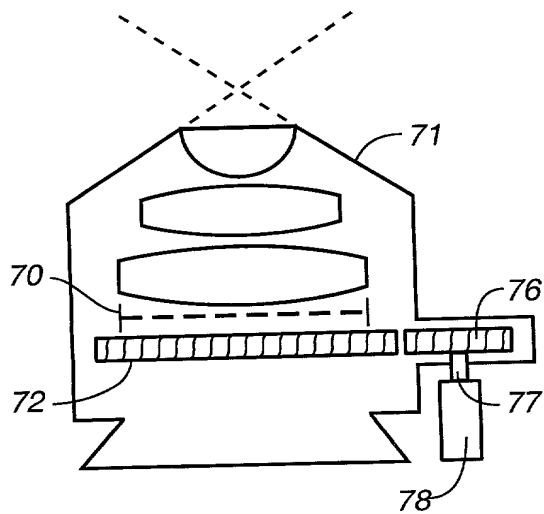
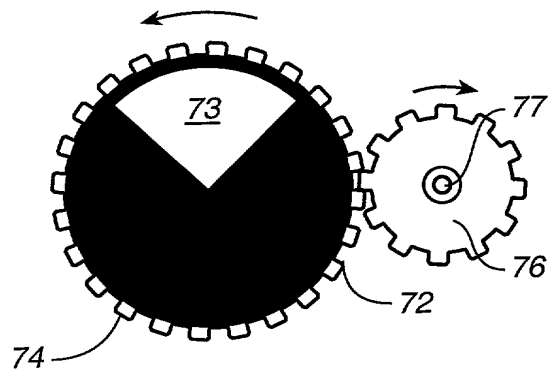
Dynamic aperture microscopy in which the portion of an objective aperture that passes light in an optical system that images an object is continuously changed to create motion parallax which continuously changes the angle from which the object is viewed to create a moving 3-D view of the object from which a 3-D model of the object can be constructed that can be seen or measured from any angle.

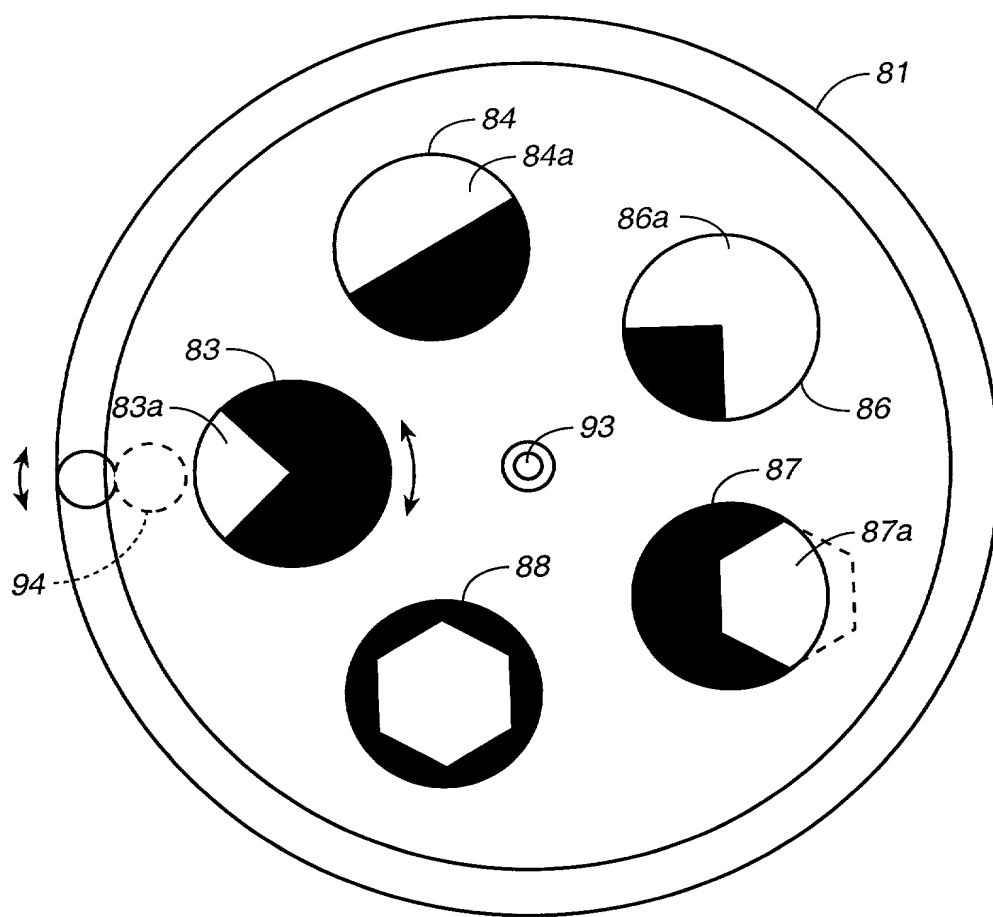
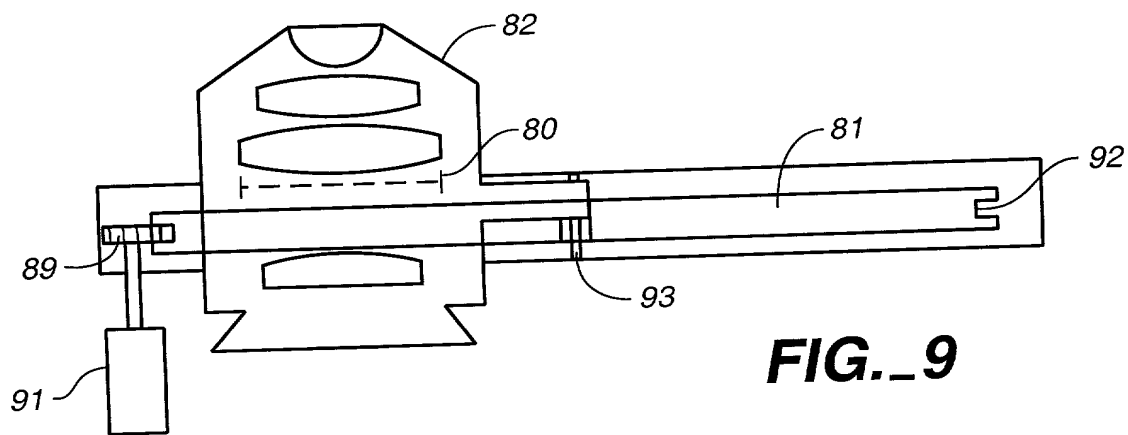
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**FIG._5a**

**FIG. 6**

3 / 12

**FIG. 7****FIG. 8****FIG. 8a**



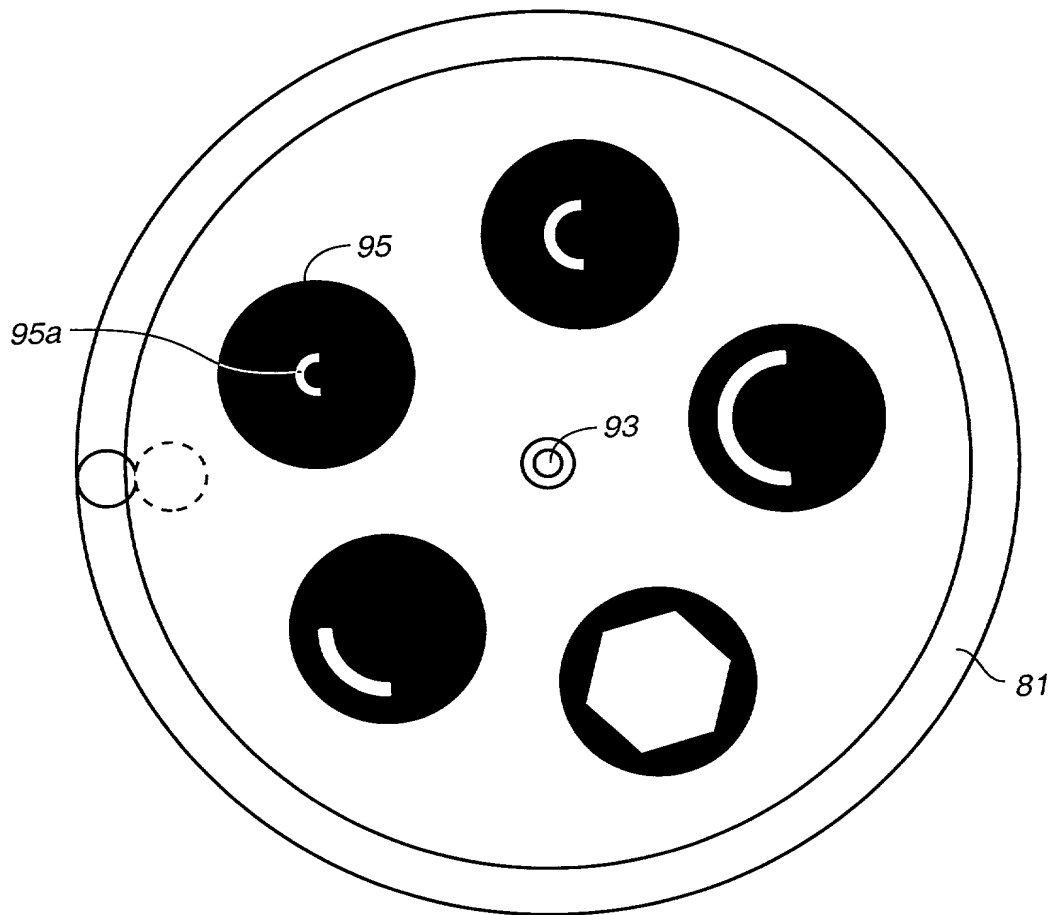


FIG._9b

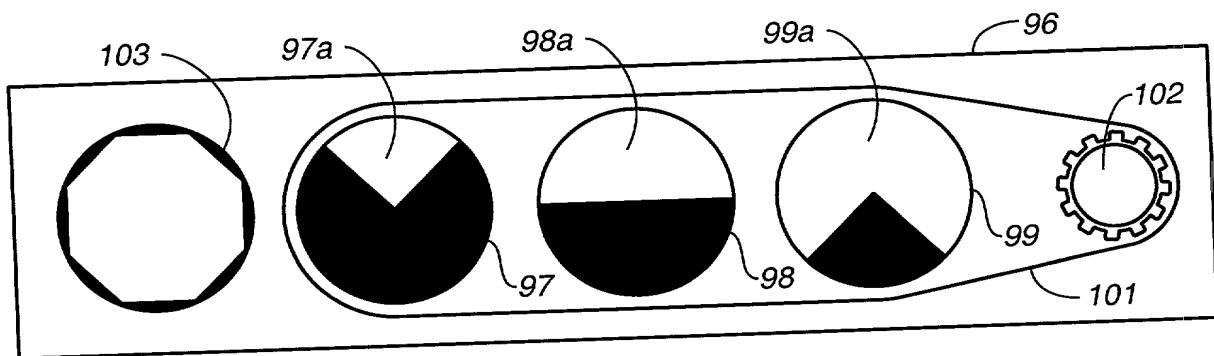
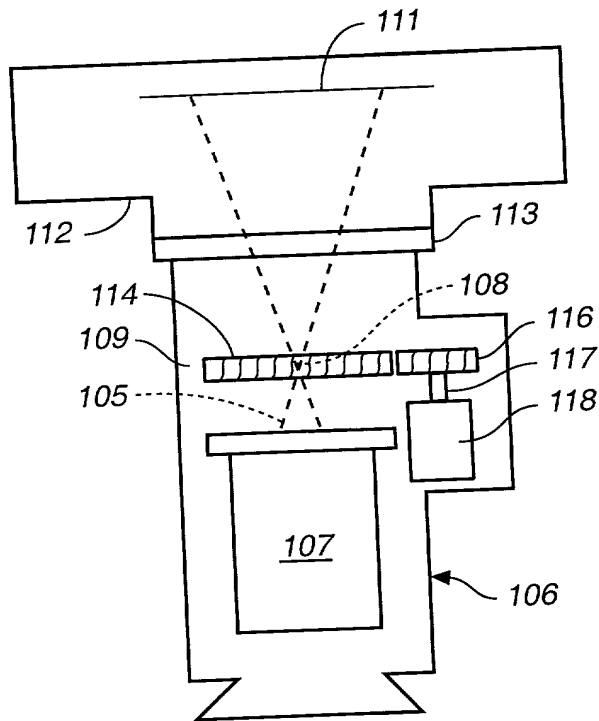
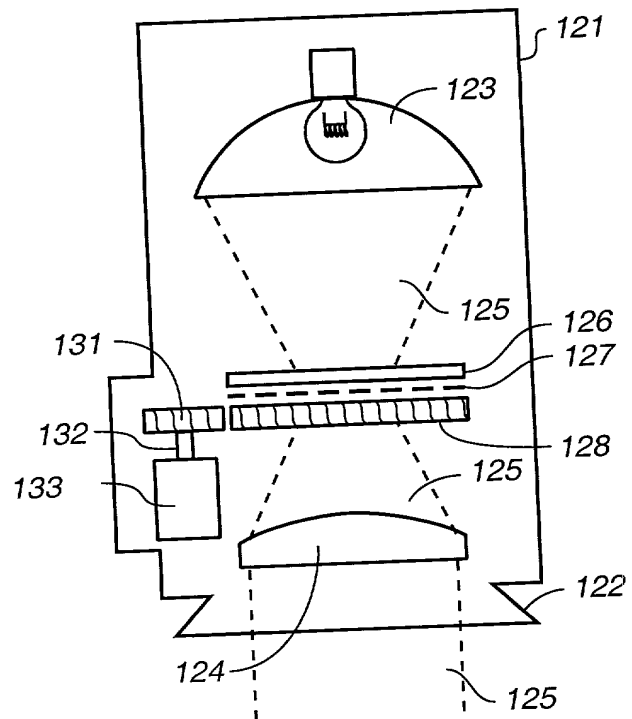
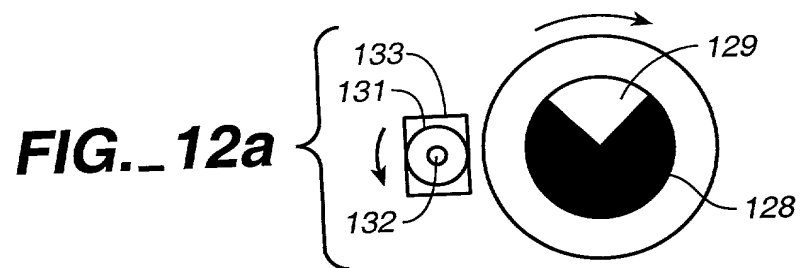
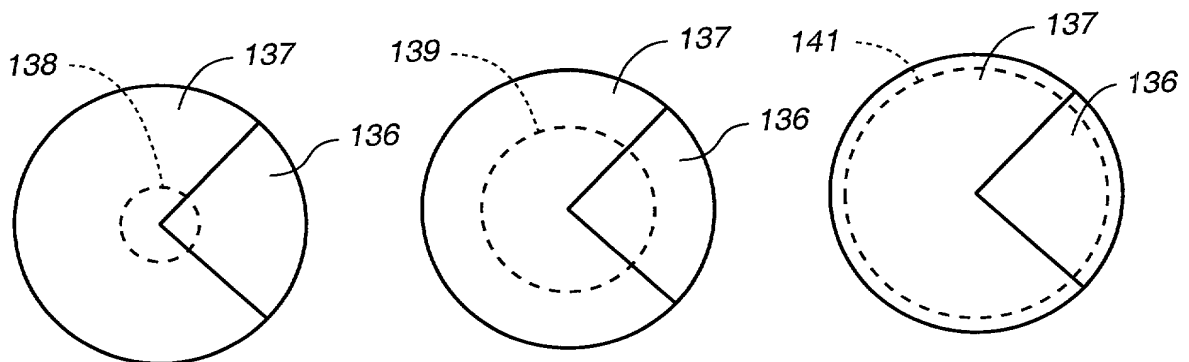
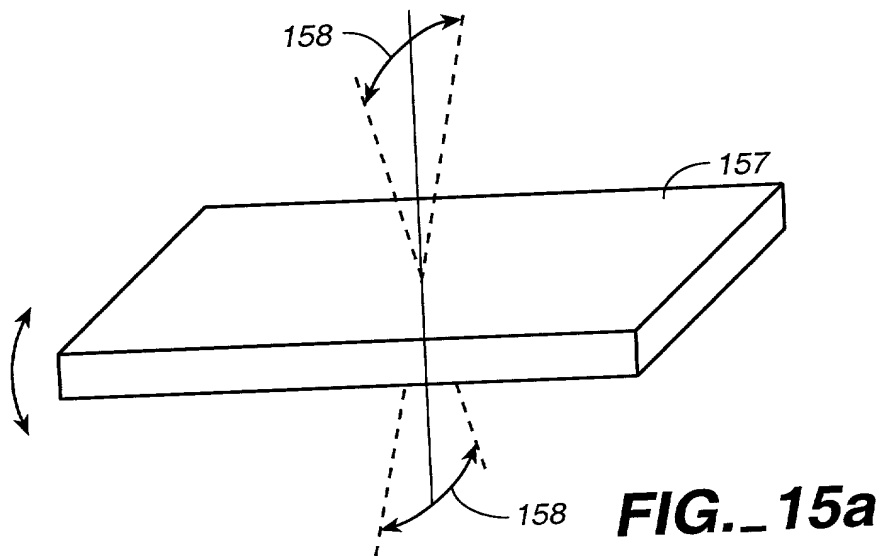
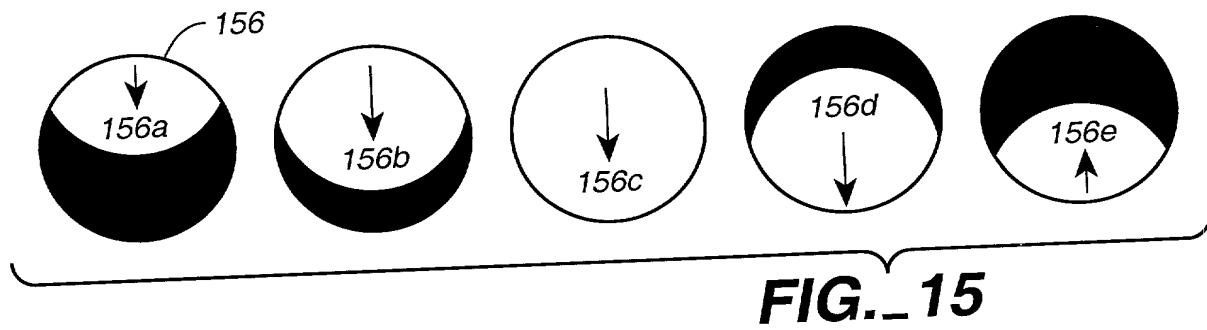
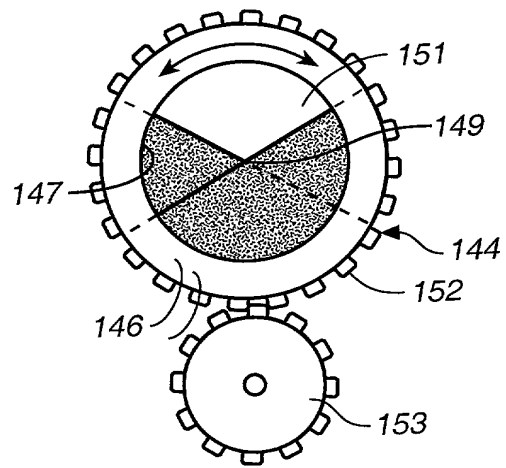
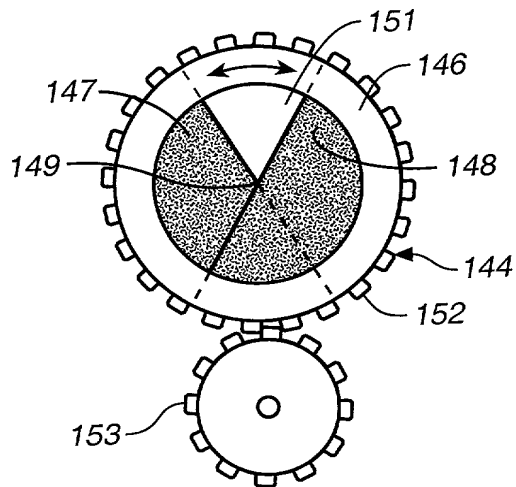
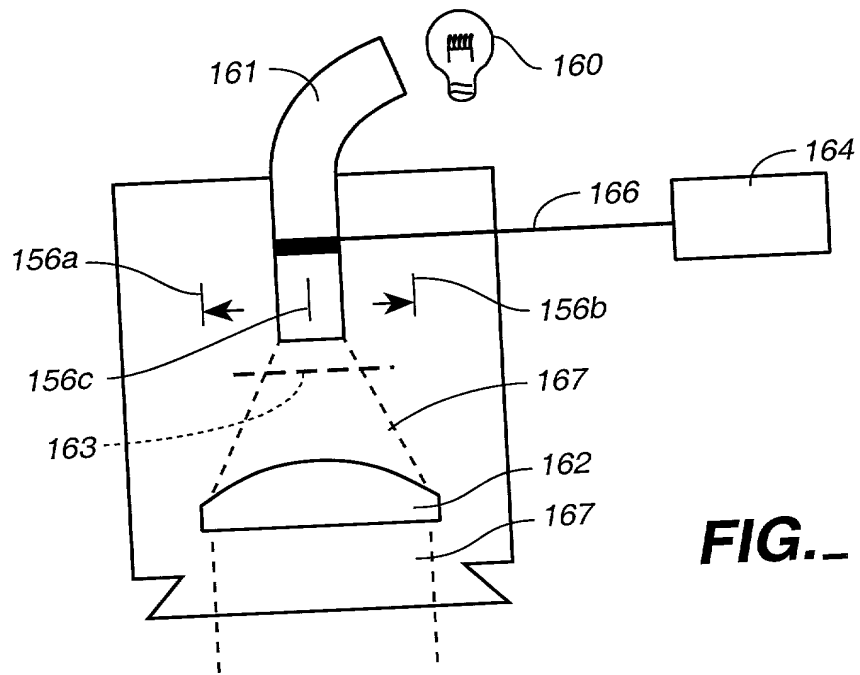
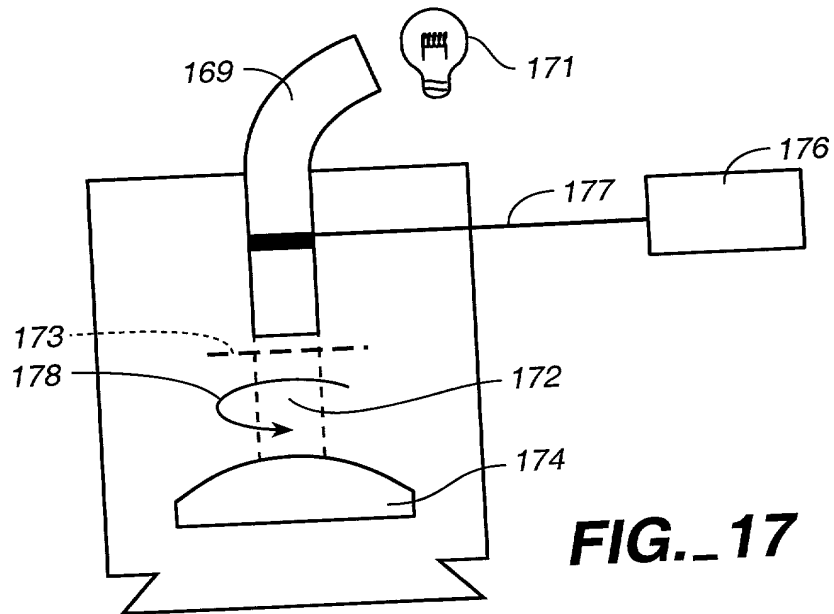


FIG._10

**FIG._11****FIG._12****FIG._12a****FIG._13a****FIG._13b****FIG._13c**



**FIG._16****FIG._17**

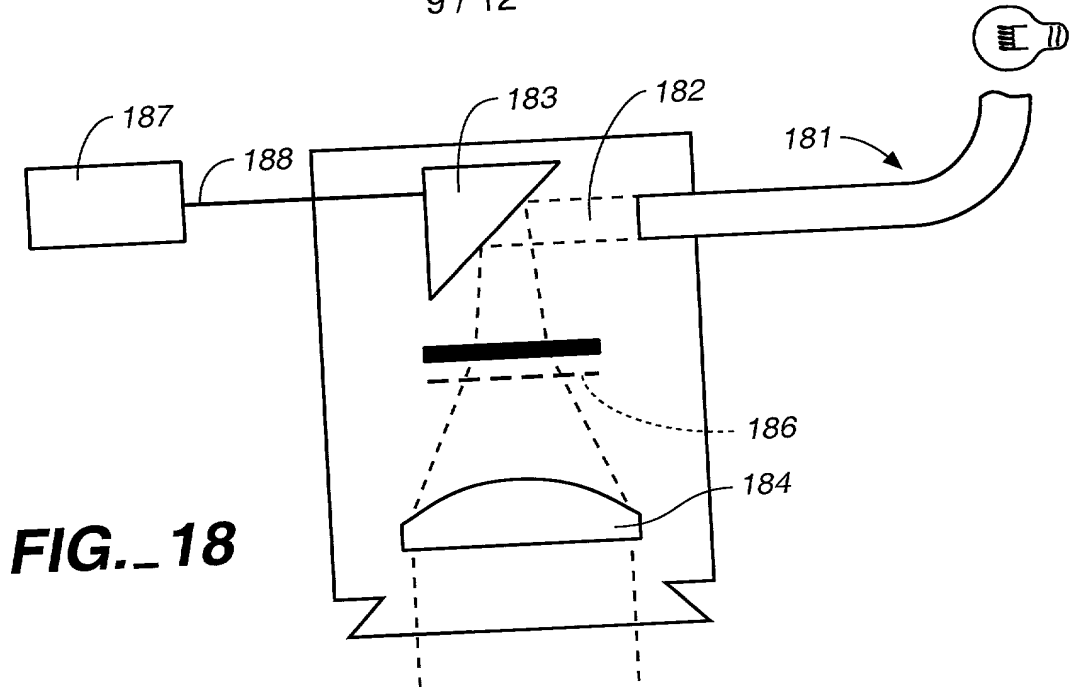


FIG. 18

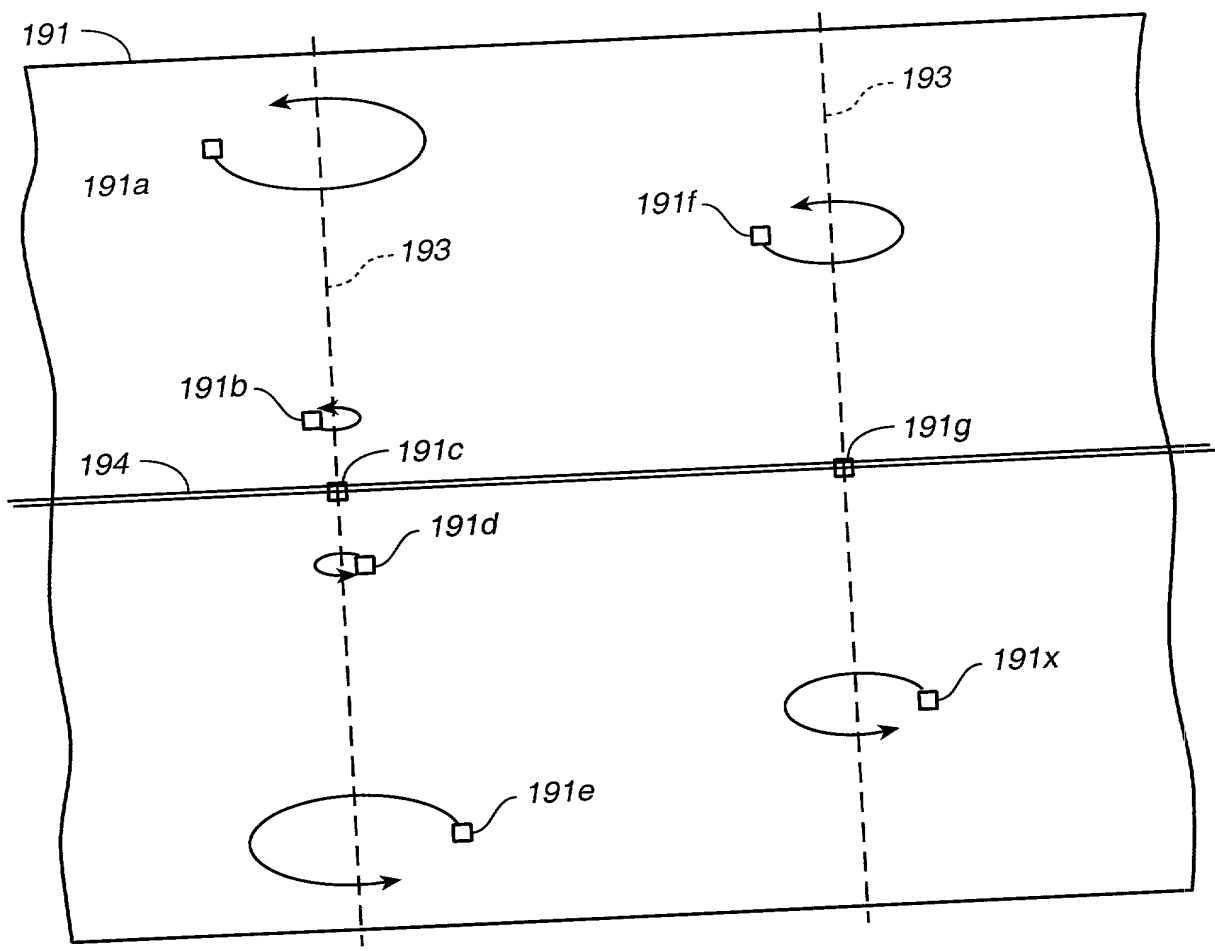
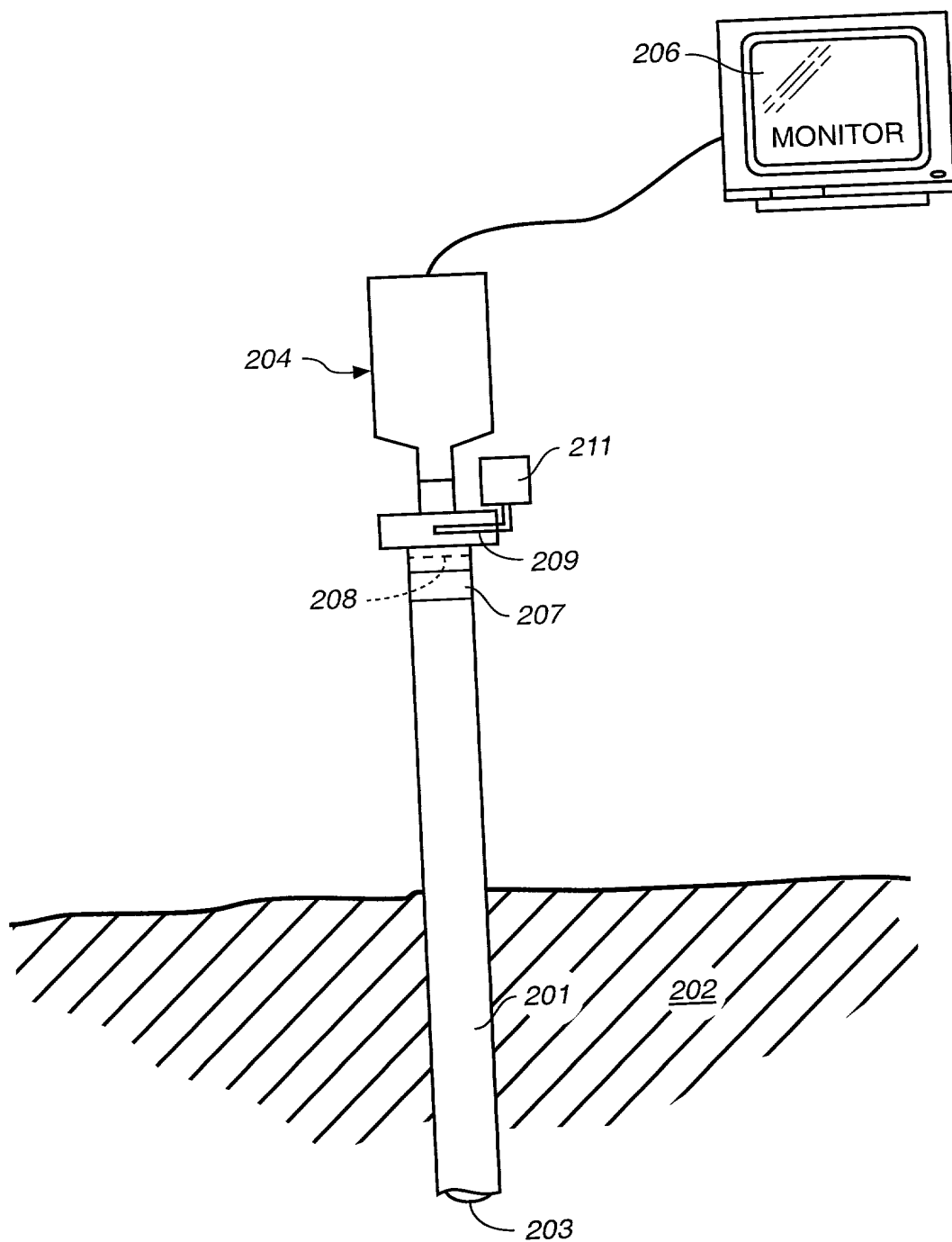
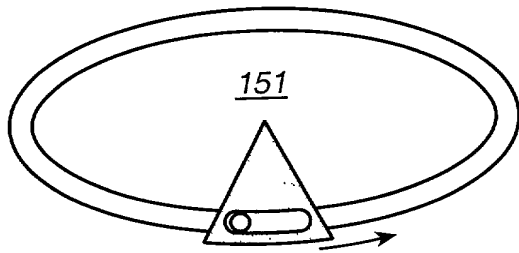
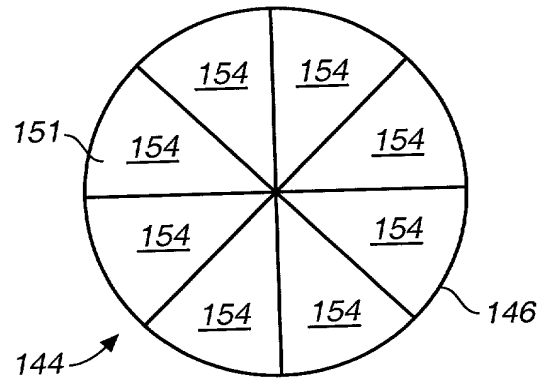
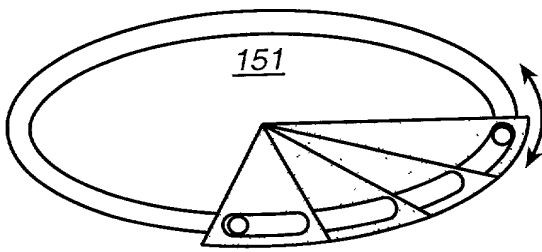
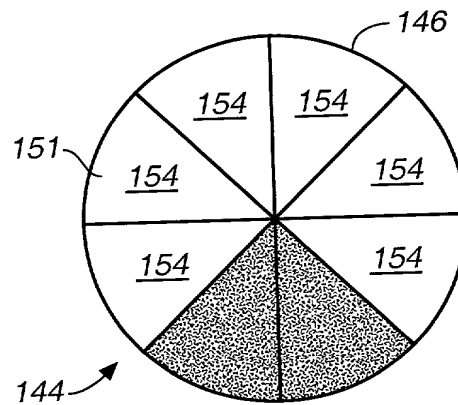
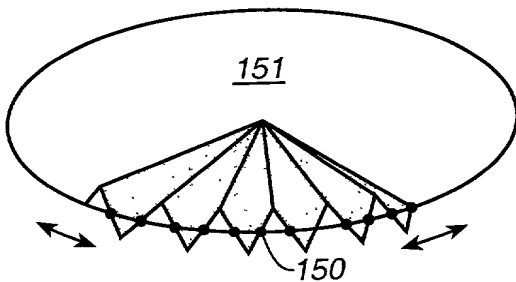
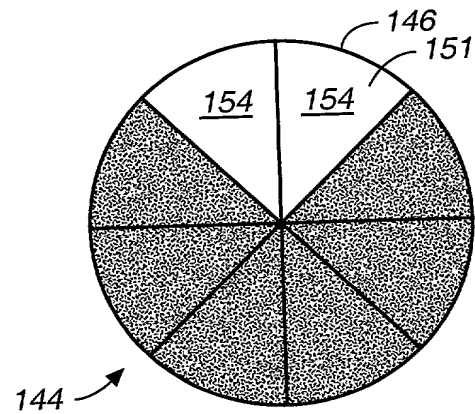


FIG. 19

**FIG. 20**

**FIG. 21****FIG. 23a****FIG. 21a****FIG. 23b****FIG. 22****FIG. 23c**

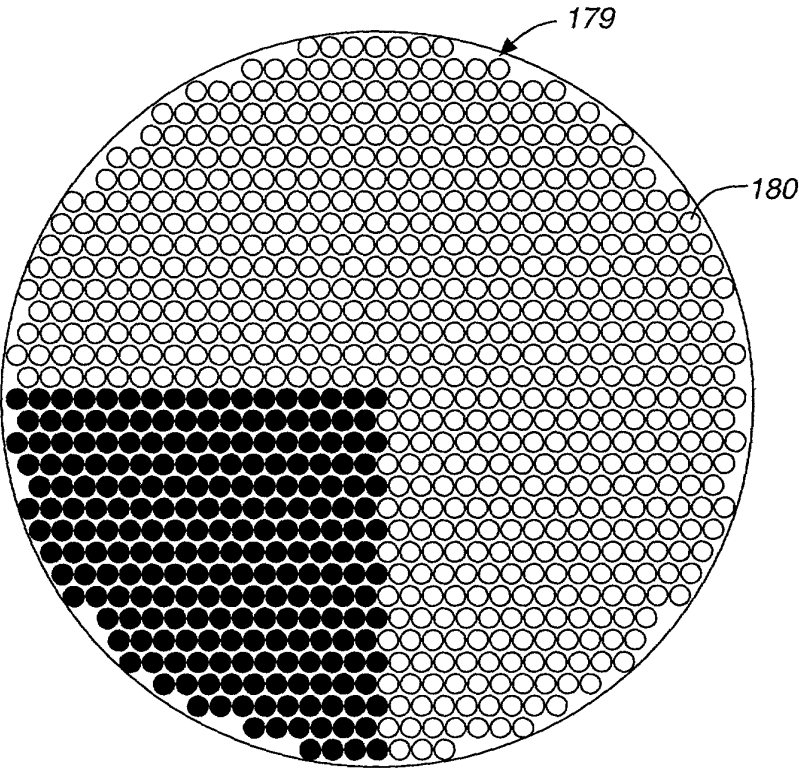


FIG. 24

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Apparatus and Methods For Creating Real-Time 3-D Images And Constructing 3-D Models Of An Object Imaged In An Optical System

SPECIFICATION IDENTIFICATION

The specification is attached hereto.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

H. Michael Brucker

Registration Number 19,737

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

H. Michael Brucker
(510) 654-6200

H. Michael Brucker
5855 Doyle Street, Suite 110
Emeryville, CA 94608

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Gary Greenberg

Inventor's signature

Date 12 APRIL 2000

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Residence Marina Del Rey, CA

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